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**Attorneys for Defendant**

**Driscoll Strawberry Associates, Inc.**

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**DG BERRY, INC, a California Corporation**

Plaintiff,

Y.

**DRISCOLL STRAWBERRY ASSOCIATES,  
INC., a California Corporation**

Defendant.

**Case No. CV13- 1236 EMC**

### STIPULATION AND ORDER TO RESET STATUS CONFERENCE

**Date: July 25, 2013**

**Time; 9:00 a.m.**

**Judge: Hon. Edward Chen**

Plaintiff DG Berry, Inc. and Defendant Driscoll Strawberry Associates, Inc., by and through their respective counsel, hereby stipulate as follows:

## RECITALS

1. By its Case Management Conference Order In Reassigned Cases, the Court set the Case Management Conference herein for June 27, 2013.

2. In their Joint Case Management Conference Statement, the parties notified the Court that they had set mediation of this case with Retired Judge Richard Silver through JAMS on July 9, 2013, and applied for a continuation of the Case Management Conference.

1           3.     By its Order dated June 26, 2013, the Court re-set the Case Management  
2 Conference to July 25, 2013 at 9:00.a.m.

3           4.     The parties participated in mediation with Ret. Judge Silver on July 9, 2013 in  
4 Monterey, California as scheduled. The parties identified the key factual issues that separate  
5 them and discussed an exchange of documents that may bear on these factual questions.


6           5.     The parties have agreed to exchange documents informally on or before Monday  
7 August 5, 2013 and resume mediation with Ret. Judge Silver on August 9, 2013.

8           NOW THEREFORE, in light of the above-recited facts, the parties respectfully request  
9 that the Case Management Conference be reset to a date after the next mediation session. If that  
10 is agreeable to the Court, counsel list the dates in the next two months during which they are not  
11 available below:

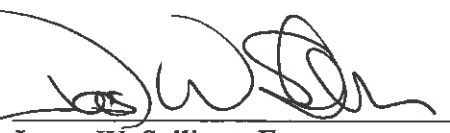
12           Defendant's counsel, James W. Sullivan is not available on August 20, 2013 and is out  
13 of the country from September 7 through 21, 2013.

14           Plaintiff's counsel, Effie Anastassiou is not available on August 16, 23, 26 and 27, 2013,  
15 and on September 6, 13, 20, 23 and 24, 2013.

16  
17  
18 IT IS SO STIPULATED  
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20   
21 Effie Anastassiou, Esq.  
22 Anastassiou & Associates  
23 Attorneys for Plaintiff  
24 DG Berry, Inc.

25 Dated: July 16, 2013

26   
27 James W. Sullivan, Esq.  
28 L&G, LLP  
Attorneys for Defendant Driscoll  
Strawberry Associates, Inc.

Dated: July 16, 2013

**CASE MANAGEMENT ORDER**

The above stipulation is approved. The Case Management Conference, currently set for July 25, 2013 is hereby continued to:

Date: 8/22/13

Time: 9:00 a.m.

Courtroom: 5

IT IS SO ORDERED

Dated: 7/18/13

